

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

HOUSTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
v.	§	CRIMINAL NO. H-16-CR-409-2
	§	
VICTOR HUGO VALDEZ PINON	§	

UNOPPOSED MOTION FOR PRELIMINARY ORDER OF FORFEITURE

The United States of America respectfully moves for a preliminary order of forfeiture imposing a money judgment against Defendant, Victor Hugo Valdez Pinon.

On December 9, 2015, Defendant pleaded guilty to Count One of the Information, charging him with conspiracy to violate the Foreign Corrupt Practices Act (FCPA) and commit wire fraud, in violation of 18 U.S.C. § 371. Rule 32.2(b)(1)(A) of the Federal Rules of Criminal Procedure provides that after a guilty plea on any count in an indictment or information for which criminal forfeiture is sought, the court must determine what property is subject to forfeiture. Rule 32.2(b)(1)(A) further provides that if the Government seeks a money judgment, the Court must determine the amount of money that the defendant will be ordered to pay. Fed. R. Crim. P. 32.2(b)(1)(A). In making this determination, the Court is permitted to rely on evidence already in the record, including any plea agreement. Fed. R. Crim. P. 32.2(b)(1)(B).

The record in this case establishes that the FCPA and wire fraud conspiracy generated at least \$275,000.00 in proceeds. Further, the factual basis for his guilty plea, which the defendant agreed to in his plea agreement, established that the conspiracy generated proceeds of at least \$275,000.00, and he has agreed that this factual basis supports the forfeiture of proceeds that

resulted from the conspiracy. Furthermore, the defendant also agreed in the plea agreement to the imposition of a money judgment against him and in favor of the United States.

Accordingly, the United States respectfully requests that the Court enter a preliminary order of forfeiture imposing a money judgment against Defendant and in favor of the United States in the amount of \$275,000.00.

Respectfully submitted,

ANDREW WEISSMANN
CHIEF, FRAUD SECTION
CRIMINAL DIVISION

KENNETH MAGIDSON
UNITED STATES ATTORNEY
SOUTHERN DISTRICT OF TEXAS

/s/ Christopher Cestaro
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CERTIFICATE OF CONFERENCE

On or about February 20, 2017, Catherine Baen, attorney of record for Victor Hugo Valdez Pinon, advised that she is unopposed to the filing of this motion, and to the granting of this motion.

/s/ Arthur R. Jones
ARTHUR R. JONES
Assistant United States Attorney

CERTIFICATE OF SERVICE

The undersigned certifies that on February 20, 2017, a true and correct copy of the foregoing Motion was electronically delivered to Catherine Baen, via electronic case filing (ECF).

/s/ Arthur R. Jones

ARTHUR R. JONES

Assistant United States Attorney